

U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE		DATE: 18 April 2005 (18.04.2005)
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (if known) 10/4531720 National Assignment
INTERNATIONAL APPLICATION NO.: PCT/EP2004/050272	INTERNATIONAL FILING DATE: 08 March 2004 (08.03.2004)	PRIORITY DATE CLAIMED: 10 March 2003 (10.03.2003) EP
TITLE OF INVENTION: <b>NOVEL PROCESS FOR THE PREPARATION OF ROFLUMILAST</b>		
APPLICANT(S) FOR DO/EO/US: Bernhard KOHL, Bernd MUELLER, Walter PALOSCH		
Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 USC 371(f)) The submission must include items(5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):</p> <p style="margin-left: 40px;">a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</p> <p style="margin-left: 40px;">b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p style="margin-left: 40px;">c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6. <input type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p style="margin-left: 40px;">a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</p> <p style="margin-left: 40px;">b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p style="margin-left: 40px;">c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p style="margin-left: 40px;">d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) as provided in the PCT Request.</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p><b>ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:</b></p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</p> <p>14. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4)</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4)</p> <p>20. <input checked="" type="checkbox"/> Other items or information:</p> <p>APPLICATION DATA SHEET; TRANSMITTAL FORM; FEE CALCULATION; INTERNATIONAL PUBLICATION WO 2004/080967 A1 WITH INTERNATIONAL SEARCH REPORT AND INTERNATIONAL PUBLICATION DATE OF 23 SEPTEMBER 2004 WHICH CONSISTS OF 14 PAGES INCLUDING 1 COVER SHEET CONTAINING THE ABSTRACT; 10 PAGES TEXTUAL SPECIFICATION, 3 PAGES OF 21 CLAIMS, 0 SHEETS DRAWINGS; <b>PRELIMINARY AMENDMENT WITH APPENDICES A &amp; B TO BE EXAMINED</b>; PCT REQUEST WITH EXECUTED INVENTORS' SIGNATURES; PCT/IPEA/409 INTERNATIONAL PRELIMINARY EXAMINATION REPORT.</p>		

U.S. APPLICATION NO. (if known) not yet assigned <div style="font-size: 24pt; font-weight: bold;">10/531720</div>	INTERNATIONAL APPLICATION NO.  PCT/EP2004/050272	DATE: 18 April 2005 (18.04.2005)
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21. <u>x</u> The following fees are submitted:  <b>Basic National Fee (37 CFR 1.492(a)(1)-(5):</b> National Stage Search Fee and National Stage Examination Fee:.....\$1,000.00          <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>	<u>CALCULATIONS</u>  \$ 1,000.00          \$1,000.00	<u>PTO USE ONLY</u>
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Surcharge of \$130.00 for furnishing the oath or declaration later than ___ 20 ___ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	\$	
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CLAIMS	NO. FILED	NO. EXTRA	RATE		
TOTAL	19 -20=	0	X \$ 50.00	\$	.00
INDEPENDENT	___ 1 - 3=	0	X \$ 200.00	\$	.00
Multiple dependent claims(s) (if applicable)			+ \$360.00	\$	0.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	<b>1,000.00</b>
Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).				\$	0.00
<b>SUBTOTAL =</b>				\$	<b>1,000.00</b>
Processing fee of \$130.00 for furnishing the English translation later than ___ 20 ___ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	0.00
<b>TOTAL NATIONAL FEE =</b>				\$	<b>1,000.00</b>
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00 per property +</b>				\$	.00
<b>TOTAL FEES ENCLOSED =</b>				\$	<b>1,000.00</b>
				Amount to be:	
				refunded	\$
				charged	\$

U.S. APPLICATION NO. 10/531720	INTERNATIONAL APPLICATION NO. PCT/EP2004/050272	DATE: 18 April 2005 (18.04.2005)
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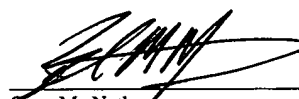
- a. ☒ One check in the amount of \$ 1,000.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 14-0112 in the amount of \$ \_\_\_\_\_ to cover the above fees. (A duplicate copy of this sheet is enclosed.)
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0112.
- d. ☐ Fees are to be charged to a credit card ☐ WARNING: Information on this form may become public ☐ Credit Card Information should not be included on this form. ☐ Provide credit card information and authorization on PTO-2038

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

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 \_\_\_\_\_  
 Gary M. Nath  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KOHL et al.

International Application No. PCT/EP2004/050272

Serial No. NOT YET ASSIGNED

International Filing Date: 8 March 2004 (08.03.2004)

Filed: April 18, 2005

For: NOVEL PROCESS FOR THE PREPARATION OF ROFLUMILAST

10/531720

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

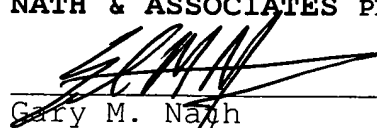
Sir:

Submitted herewith for filing in the U.S. Patent and  
Trademark Office is the following:

- (1) Transmittal Letter;
- (2) Application Data Sheet;
- (3) Transmittal Letter to U.S. Designated/Elected Office  
(DO/EO/US) Concerning Filing under 35 U.S.C. 371
- (4) International Publication No: WO 2004/080967 A1 with  
International Search Report; International Publication Date:  
23 September 2004 (23.09.2004)  
which consists of 14 pages including:
  - 1 cover sheet containing the Abstract,
  - 10 pages Textual Specification,
  - 3 pages of 21 claims,
  - 0 sheets of Drawings;
- (5) **Preliminary Amendment with Appendices A & B to be examined;**
- (6) **PCT Request with Executed Inventor's signatures;**
- (7) PCT/IPEA/409 International Preliminary Examination Report;
- (8) Check No. 22908 \$1,000.00 for Filing Fee, Search Fee  
and Examination Fee;
- (9) Postcard for early notification of serial number.

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

By:

  
\_\_\_\_\_  
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Date: April 18, 2005  
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